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NOTICE OF ALLOWANCE AND FEE(S) DUE

50170

7590

09/02/2008

EXAMINER

PARTHASARATHY, PRAMILA

IBM CORP. (WIP) c/o WALDER INTELLECTUAL PROPERTY LAW, P.C.

17330 PRESTON ROAD SUITE 100B

DALLAS, TX 75252

ART UNIT PAPER NUMBER

2136

DATE MAILED: 09/02/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,825	09/25/2003	Maximino Aguilar JR.	AUS920030704US1	7315

TITLE OF INVENTION: SYSTEM AND METHOD FOR ENCRYPTING DATA USING A PLURALITY OF PROCESSORS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	12/02/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

or <u>Fax</u> (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where ar in m

appropriate. All further indicated unless correct maintenance fee notifica	correspondence includir ed below or directed oth	ng the Patent, advance of the Patent, advance of the Patent, advance of the Patent, advance of the Patent in Block 1, by (orders and notification of rand specifying a new corres	naintenance fees v pondence address	vill be ; and/or	mailed to the current (b) indicating a sepa	correspondence address as rate "FEE ADDRESS" for
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17330 PRESTO	NTÉLLECTUAL PI	.C. I he Stat addutran	reby certify that thes Postal Service v	is Fee(s) Transmittal is being	deposited with the United to class mail in an envelope above, or being facsimile ate indicated below.	
SUITE 100B DALLAS, TX 75252							(Depositor's name)
DALLAS, IA /	3232						(Signature)
							(Date)
APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR		ATTO	RNEY DOCKET NO.	CONFIRMATION NO.
10/670,825	09/25/2003	•	Maximino Aguilar JR.		ΑU	JS920030704US1	7315
TITLE OF INVENTION	: SYSTEM AND METH	OD FOR ENCRYPTING	G DATA USING A PLUR.	ALITY OF PROCE	ESSOR	S	
APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSU	E FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0		\$1740	12/02/2008
EXAM	IINER	ART UNIT	CLASS-SUBCLASS				
PARTHASARA	THY, PRAMILA	2136	713-189000				
"Fee Address" ind PTO/SB/47; Rev 03-0 Number is required.	oondence address (or Cha B/122) attached. lication (or "Fee Address)2 or more recent) attach	or agents OR, alternati (2) the name of a single registered attorney or a 2 registered patent atto- listed, no name will be	(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.				
3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)							
Please check the appropr	riate assignee category or	categories (will not be p	rinted on the patent):	Individual 🖵 Co	orporati	on or other private gro	oup entity Government
4a. The following fee(s) are submitted: ☐ Issue Fee ☐ Publication Fee (No small entity discount permitted) ☐ Advance Order - # of Copies			4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) ☐ A check is enclosed. ☐ Payment by credit card. Form PTO-2038 is attached. ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).				
Advance Order -	# of Copies		overpayment, to Depo	sit Account Numb	er	required fee(s), any de (enclose ar	n extra copy of this form).
5. Change in Entity Sta	itus (from status indicated as SMALL ENTITY state	/	☐ b. Applicant is no lon	ger claiming SMA	II EN'	FITV status See 37 CI	FR 1 27(g)(2)
**	d Publication Fee (if req	uired) will not be accepte	ed from anyone other than t				e assignee or other party in
•		act area and Trademan		Date			
Typed or printed name				Registration No			
This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.							

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10/670,825	09/25/2003	Maximino Aguilar JR.	AUS920030704US1	7315	
50170 75	590 09/02/2008		EXAM	INER	
IBM CORP. (WI	P)	PARTHASARATHY, PRAMILA			
	ÉLLECTUAL PROPE	ART UNIT	PAPER NUMBER		
17330 PRESTON ROAD SUITE 100B DALLAS, TX 75252			2136 DATE MAILED: 09/02/2008		

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 829 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 829 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

	Application No.	Applicant(s)					
	10/670.825	AGUILAR ET AL.					
Notice of Allowability	Examiner	Art Unit					
	DDAMII A DADTIIA CADATIIV	0400					
	PRAMILA PARTHASARATHY	2136					
The MAILING DATE of this communication appear All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this ap or other appropriate communicatio IGHTS. This application is subject to	oplication. If not included n will be mailed in due course. THIS					
1. This communication is responsive to <u>Terminal Disclaimer f</u>	<u>ïled on 7/10/2008</u> .						
2. X The allowed claim(s) is/are <u>1-9,11-19,21-27,29,31-40; Ren</u>	numbered as 1-36.						
 3. ☐ Acknowledgment is made of a claim for foreign priority ur a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have 2. ☐ Certified copies of the priority documents have 	e been received.						
3. ☐ Copies of the certified copies of the priority do	- ''						
International Bureau (PCT Rule 17.2(a)).		3 - 4					
* Certified copies not received:							
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.							
4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give							
5. CORRECTED DRAWINGS (as "replacement sheets") mus	st be submitted.						
(a) 🔲 including changes required by the Notice of Draftspers	son's Patent Drawing Review (PTO	-948) attached					
1) 🔲 hereto or 2) 🔲 to Paper No./Mail Date							
(b) ☐ including changes required by the attached Examiner's Paper No./Mail Date	s Amendment / Comment or in the	Office action of					
	Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).						
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.							
Attachment(s)	5 Notice of Informal I	Dotant Application					
 Notice of References Cited (PTO-892) Notice of Draftperson's Patent Drawing Review (PTO-948) 	 5. ☐ Notice of Informal I 6. ☐ Interview Summary 						
	Paper No./Mail Da	ate					
 Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>7/25/2006</u> 	ment/Comment						
4. Examiner's Comment Regarding Requirement for Deposit	8. 🛛 Examiner's Statem	ent of Reasons for Allowance					
of Biological Material 9. ☐ Other							
/Pramila Parthasarathy/							
Primary Examiner, Art Unit 2136 August 11, 2008							
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Terminal Disclaimer

The terminal disclaimer filed on 7/10/2008 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of Patent 6,981,072 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Response to Arguments

Applicant's amendments to Claims filed 07/10/2008 and Terminal Disclaimer in response to the previous office actions (remarks filed on 7/5/2007; 1/30/2008 and 7/10/2008) have been fully considered to be persuasive.

Allowable Subject Matter

Claims 1-9, 11-19, 21-27, 29 and 31 - 40 are allowed and renumbered as 1 - 36.

The following is an examiner's statement of reasons for allowance: The Admitted prior art Sibert U.S. Patent 7,124,170, discloses a secure processing unit that can perform both security functions and other information appliance functions using the same set of hardware resources. The secure processing unit includes an internal memory unit that includes a unique identifier for the secure processing unit, a private cryptographic key, a public cryptographic key, and a cryptographic certificate linking the unique identifier and the public cryptographic key. The processor security registers may contain access control data for restricting access to certain memory regions to predefined software components and/or processor modes.

However, the admitted prior art does not disclose, teach or suggest, "A method, in a multiprocessor system, the multiprocessor system comprising a control processor and a plurality of controlled processors, the method comprising: selecting at least one controlled processor of the plurality of controlled processor to operate in a shared operational state; selecting a second controlled processor from the plurality of controlled processor to operate in an isolated operational state; configuring the at least one first controlled processor of the multiprocessor

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system to be in the shared operational state, wherein the shared operational state causes the at least one first controlled processor to operate using a common memory accessible by the plurality of controlled processors in the multiprocessor system; configuring the second controlled processor of the multiprocessor system, via loading and executing initialization code in the second controlled processor, to be in the isolated operational state, wherein the isolated operational state causes a local memory associated with the second controlled processor to be not accessible by the at least one first controlled processor; executing first code within the second controlled processor in a secure manner by virtue of the isolated operational state; and executing second code within the at least one first controlled processor in an unsecured manner by virtue of the shared operational state."

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PRAMILA PARTHASARATHY whose telephone number is (571)272-3866. The examiner can normally be reached on 8:00a.m. to 5:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Pramila Parthasarathy/ Primary Examiner, Art Unit 2136 August 11, 2008